



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
OREGON OPERATIONS OFFICE
805 SW Broadway, Suite 500
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July 16, 2010

Mr. Jim McKenna
Co-Chairman, Lower Willamette Group
1519 SW Columbia, Suite A
Portland, Oregon 97201

Mr. Bob Wyatt
Northwest Natural & Co-Chairman, Lower Willamette Group
220 Northwest Second Avenue
Portland, OR 97209

Re: Portland Harbor Superfund Site; Administrative Order on Consent for Remedial Investigation and Feasibility Study; Docket No. CERCLA-10-2001-0240
EPA Comments on Portland Harbor draft Remedial Investigation Report

Dear Mrs. McKenna and Wyatt:

EPA has completed its review of the draft Remedial Investigation (RI) Report, dated October 27, 2009. EPA believes that this report represents a significant milestone for the Portland Harbor RI/FS, and appreciates the Lower Willamette Group's (LWG) significant efforts to develop this comprehensive report.

As you are aware, EPA provided initial comments on the draft Baseline Human Health and Ecological Risk Assessments, which drafts were subsequently included as Section 8 and 9 and Appendix F and G of the draft RI Report, in December 2009. We are providing our complete set of comments now, because EPA's earlier comments were focused on elements of the baseline human health and ecological risk assessments (BHHRA and BERA) considered critical to the identification of chemicals posing potentially unacceptable risk and development of preliminary remediation goals (PRGs). EPA appreciates that the LWG has been willing to move forward with scoping and development of the FS alternatives based on EPA's preliminary comments and corresponding revisions to the PRGs.

The purpose of this letter is to 1) provide EPA's comments on the draft RI and Baseline Risk Assessment Reports and the schedule for preparation of the revised draft reports, and 2) establish the deadline for LWG submittal of the draft Feasibility Study Report.

EPA Comments on Draft RI and Baseline Risk Assessment Reports

The attached comments include general comments and specific comments on the RI report and general and specific comments on the Baseline Risk Assessment sections of the Report. EPA's comments on the Baseline Risk Assessment Report supplement the initial comments provided in December 2009. EPA's attached comments have been categorized as 1) directed changes, 2) clarifications, 3) issues, and 4) editorial for informational purposes. EPA expects the LWG to address all of the comments. EPA has attempted to provide clear direction on the specific revisions that are needed to resolve the comments. The directed changes include specific comments on the risk assessments where EPA has previously provided comments and direction to the LWG and those comments have not been adequately addressed. Because of the extensive nature of our comments and needed changes to the Report, EPA is requiring that revised draft RI and Baseline Risk Assessment Reports be prepared and submitted. The revised RI Report and Baseline Risk Assessment Reports are due to EPA 90 days from receipt of this letter.

Please be advised that, as stated in our April 21, 2010 letter to the LWG that provided direction on PRGs for use in the Portland Harbor FS, EPA is developing a benthic approach based on our review of the draft Baseline Risk Assessment and the Benthic Reanalysis Technical Memorandum dated November 13, 2009 and the Site-Specific SQGs based on Individual Bioassay Endpoints dated April 2, 2010. EPA is proceeding to develop the benthic approach as generally described our April 21, 2010 letter. EPA is not providing comments on the benthic approach presented in the Section 9 and Appendix G of the Baseline Ecological Risk Assessment, but intends to provide such comments with overall comments on the benthic approach. EPA's direction and schedule for incorporating revisions to the benthic approach will be provided when EPA transmits our comments on the benthic approach.

Deadline for submission of Draft Feasibility Study Report

EPA is also establishing the deadline for LWG submittal of the Draft FS Report. According to the Programmatic Work Plan for the Portland Harbor RI/FS, the Draft FS Report is due 150 days from receipt of this letter transmitting EPA's comments on the draft RI and Baseline Risk Assessment Reports. However, EPA acknowledges, based on our understanding of the current working schedule and ongoing discussions on a number of complex technical issues that are critical to the evaluation of cleanup options, including chemical fate and transport modeling and the benthic toxicity evaluation approach, that 150 days roughly corresponds to the expected timeframe for the Alternatives Screening Evaluation Check-in. The current projected working schedule shows that after Alternatives Screening Evaluation Check-In, the LWG would complete the evaluation of cleanup alternatives and submit the Draft FS report to EPA in June 2011. EPA is therefore establishing the due date for the draft FS report as June 15, 2011.

In summary, EPA wants to acknowledge that significant portions of the RI report, including maps and figures, tables and other information were well done and provide good summaries of relevant site data and information. EPA's comments are focused on areas of the report that were deficient, and changes are needed to make the report acceptable to EPA. EPA is willing to meet to discuss our comments. If you have any questions regarding the comments or

the schedule for revisions please contact Chip Humphrey at (503) 326-2678 or Eric Blischke (503) 326-4006. All legal inquiries should be directed to Lori Cora at (206) 553-1115.

Sincerely,

Chip Humphrey
Eric Blischke
Remedial Project Managers

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